

by name, and the allowance payable to each in accordance with the "mileage allowed" by the statute.

Our opinion that the standard table is controlling is not affected by the provision of Article 22d, Part II of the Constitution, authorizing the House to settle the "rules of proceedings in their own house." The determination of mileage allowances in reimbursement for costs of travel concerns the members of both branches of the Legislature. It is not considered to be settlement of a rule of proceedings of the House alone.

It is our opinion that upon the facts stated, the Governor and Council may not lawfully execute a warrant directing payment of additional travel allowances as set forth by your resolution.

FRANK R. KENISON.
LAURENCE I. DUNCAN.
AMOS N. BLANDIN, JR.
EDWARD J. LAMPRON.
STEPHEN M. WHEELER.

December 1, 1959.

Original, No. 4820.
December 17, 1959.

WILLARD UPHAUS *v.* LOUIS C. WYMAN, *Attorney General.*

PER CURIAM. Motion to stay an order of the Superior Court (*Grant, J.*) entered in proceedings for civil contempt on December 14, 1959, committing the petitioner for one year or until he purges himself of contempt, or until further order of the Trial Court. The order was entered following the petitioner's refusal at the hearing to produce a list of guests who were present at World Fellowship Camp in Albany, New Hampshire, during the summers of 1954 and 1955. The petitioner was originally ordered to produce the list on January 5, 1956. *Wyman v. Uphaus*, 100 N. H. 436; *Uphaus v. Wyman*, 360 U. S. 72 (June 8, 1959).

The motion seeks a stay of the order of committal pending final adjudication by this court of certain questions raised before

the Trial Court at the hearing of December 14, 1959. The motion presents no such occasion as would warrant the granting of the relief sought. Accordingly the order is

Motion denied.

Nighswander, Lord & Bownes and Royal W. France (of New York) for the petitioner.

Louis C. Wyman, Attorney General, *pro se.*

Rockingham,
No. 4741.

MANCHESTER *v.* AUBURN.

Argued September 1, 1959.

Decided October 6, 1959.

Reargued November 4, 1959.

Former Result Affirmed December 31, 1959.